

----- ST REPORT INTERNATIONAL ONLINE MAGAZINE -----
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"

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- WAZZUP DOC?	- PEOPLE TALKING!	- FORBES OVERVIEW
- ALAN PAGE SPEAKS UP!	- LEGAL RIGHTS IV	- STR Confidential

-* ATARI ADVANTAGE SOLD! *-
-* REVOLVING DOOR GOING STRONG! *-
-* SAM TRAMIEL TO APPEAR ON DELPHI! *-

ST REPORT INTERNATIONAL ONLINE MAGAZINE
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WHAT'S NEW IN THE ATARI FORUMS (July 31)

VENDOR LISTING UPDATE BEING PREPARED...

We're preparing an update to the VENDOR.DAT file that works with the VENDOR.ACC utility. (This is a quick and easy database of current vendors in the Atari community that runs as a .PRG or .ACC and written by Bill Aycock.)

If you have any additions or corrections to our current information, please post a message or send an Email to Ron Luks 76703,254 or Bill Aycock 76703,406 as soon as possible.

INVISION ELITE

INVISION Elite is a black and white paint program. It has been in intensive development over the past year and a half and is now being introduced to the market from Power Thought Software. Download the following files from LIBRARY 10 of the Atari Arts Forum (GO ATARIARTS):

INVIPR.TXT - Announcement of INVISION ELITE, mono paint program
INVDM2.ARC - Demo of mono paint program, part 2 of 2
INVDM1.ARC - Demo of mono paint program, part 1 of 2
NEW IN ATARI VENDORS FORUM (GO ATARIVEN)

Now available in LIBRARY 17 -- the newest Calamus SL demo. A big download, but worth it.

Also look in Library 11 for PG22B.LZH, a patch for version 2.1 of PageStream updating it to version 2.2B. Brought to you by the folks at Soft-Logik.

The folks from CODEHEAD TECHNOLOGIES have uploaded a series of files that will enable you to print out font charts of all the available URW fonts available for Calligrapher. The files are now available for most all printers in LIBRARY 16.

THE ATARI PORTFOLIO FORUM ON COMPUSERVE
HAS BEEN DESIGNATED AN
OFFICIAL SUPPORT SITE BY ATARI CORPORATION

"GO APORTFOLIO TO ACCESS THE ATARI PORTFOLIO FORUM"

> From the Editor's Desk "Saying it like it is!"
 "*****"

For what seems like time and eternity, there has been the consistent procession of 'badgers' from Sunnyvale who've engaged in the endeavors of a misguided "Truth Squad" cajoling and bashing the free thinkers (also Atari's customers) in the worldwide Atari Community at every opportunity. The last four months however, have been the most devastating for Atari's credibility, integrity and stability due primarily to the effects of the efforts put forth by the Director of Communications, Bob Brodie.

Never.. Has the userbase been witness to a more ridiculous situation than now. Atari's practices and procedures are literally TOASTED by one of the Premier Financial Publications in the USA, Forbes Magazine, what does the customer base see? SILENCE... that means the FORBES article; "CHEAP DIDN'T SELL" by Dyan Machan is hard hitting and accurate. All the game playing and confusion generation in the world will not make that article go away. The premier financial publication has spoken.

As one Atari insider exclaimed, "ITS FRIGHTENINGLY ACCURATE". As remarked in STR830's editorial, perhaps now.. we'll find _FORBES_ being plastered with the label of being an "Inquirer Type Mag" or a "supermarket rag" by the "Masters of Disinformation". Truth is, the Forbes article validates and corroborates most all that's been said by the truthful observers in this arena for the last year. Shame is, why didn't they (Atari) listen? They could've corrected things quickly when it would've been easy. Now, they've got their work cut out for them. That is, if they care to listen even now. We shall see. As for the source of the "inside" leaks, who knew from the "office pecking order"? Who inside Atari has the most to gain from the Forbes article? As to who actually did the leaking.. that's not too difficult, who is the most naive with the biggest ego and in an 'insensitive and relatively easy position' to be "reached"?

thank you for your strong support

Ralph @ STReport International Online Magazine

THE STORM IS COMING!

STReport's Staff

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Publisher - Editor

Ralph F. Mariano

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via E-Mail to:

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PEOPLE... ARE TALKING
=====

On CompuServe

compiled by Joe Mirando

There are some things that you can always count on: Death, Taxes... and hard drive crashes. While not everyone has experienced the joy of a hard drive crash (something like the feeling you used to get when the doctor said "This will just hurt a little"), a lot of us have. Novices and old hands alike can fall victim to a crash. And the best way to prepare for a crash is... (OK, folks, all at once now) DO BACKUPS! Let's take a look at the tribulations visited upon Frank Zeritsch, and brought to light by Atari Productivity Forum SYSOP Bill Aycock:

"Frank Zeritsch, a correspondent, writes that he has a Fujitsu SCSI drive and ICD host adapter, and he's using Supra software (which seems to work fine).

He recently got another drive, this one from Supra. Unfortunately, while attempting to format the new drive, he inadvertently zeroed his old drive the boot sector, root directory, and FAT are all gone. He says he's looked at the actual data on the drive and it's still there, but with no boot, root, or fat he can't get at it.

He is now running with ICD software and has disabled all the partitions on the zeroed drive so it doesn't get munged any worse.

Does anyone have any suggestions on how Frank can retrieve the data from this drive? Any leads at all will be gratefully accepted!"

--bill--

Albert Dayes of Atari Advantage Magazine gives the obvious reply, plus a few other avenues that could be followed:

"Bill,

Restore from the backup! The best bet is to use Supra's sector editor SupEdit and search through all the sectors (absolute mode) until you find the partition start. It usually has some words like Supra3.0sys in the ascii portion of the sector ... then he can perform a calculation on how big the partitions are. It will be a slow and painful process but if you can get the partitions up there is still some hope. Within each sector one can also check for sub-directories ... and then reconstruct the whole thing one sub-directory at a time.

A couple of good books to use are Inside the IBM PC and PS/2 (3rd edition or higher) --- gives a good logical overview of the entire MS-DOS filesystem. Another good book for getting into the nasty details is Dos Programmer's Reference by QUE books. The layout of the boot sector, and partition table will be displayed with SupEdit in one of the options so you can choose ... just don't write anything to the disk. Just go through the entire disk and have the partitions marked if they aren't already.

Some additional information I need to work with is: Suggested guesses about the size of the partitions, the total size of the drive (formatted), etc.

In the Norton book the chapters of interest are Disks: The Basic Story, Disks: The DOS Perspective, and Disks: Deeper Details.

Bill Aycock adds a bit more about the crash and the crash-ee:

-
"I believe when he zeroed the drive, it wrote new boot sector and partition info (and an empty root directory) and zeroed the fat. Could be that with the info in the books you mention he could scan through the drive looking for stuff that looks like directories, and recreate entries for them. The partitions should be the same size; he said they were set up for 5, 10, 10, 10, 10+ megs."

About the backup- yep, that'd be best, but I get the idea Frank hadn't made one recently. One would hope that after he restores whatever he can, he decides backups aren't a waste of time and disks. :-)

Thanks for the info!"

Albert Dayes replies:

"With the FAT gone it can still be very trouble-some attempting to find the information about a particular file. The sub-directories are part of the data area of a partition so you should be able to find them. If one writes down all the sub-directories names, location (sector) and all the files and the offsets into the fat you might be able to get a possible idea of where the files were located.

Without a FAT the best bet is to dump the entire disk raw to a file (10 megs) or and then try to piece it back together. What was so important they he has to recover as much as possible? Is it text files? It is much easier to attempt to recover text files since binary is close to useless with(out) some sort of fat table."

Bill Aycock agrees and comes to a conclusion that we should all take to heart:

"That was my thought too. Text files would be hard enough; binaries or data files, next to impossible. This is an expensive way for Frank to learn that periodic backups are a good idea."

After Sysop Ron Luks mentions Norton utilities and wonders aloud about the porting them to the ST, Albert says:

"With GEM and UIS-III it seems like we have everything else already. With ICD and Beckemeyer you have good utilities for handling most filesystem errors that occur. Most of the Norton Utilities don't have that much over the ST ... since most of it is to enhance command-line life or make it more bearable.

Supra has a good sector editor for the ST but not as good as NU.EXE (sector editor that Norton has ... the only limitation with Norton's sector editor is it doesn't allow one to do examine sectors on the a hard disk formatted on a different system (ie MAC HFS filesystem) ... at least the version I used. Also on the ST you have Ed-HAK which seems like a fairly nice way to examine sectors in GEM/TOS formatted media.

Norton Disk Doctor is almost exactly the same as Beckemeyer's Hard Disk Sentry in capability and Hard Disk Sentry includes an optimizer which is essentially the same as Speed Disk on the Norton Package of utilities. Also ICD's cleanup program offers similar capability.

Also ICD utilities allow for the saving of partition and boot sector information to a file which I don't think Norton Utilities has on it. Most other things are system info, which defines your system components (logical drives, memory, cpu ... similar to Atari's cookies or other desk accessories that show the same type of information. Control panel in GEM is another utility ... it seems like most of what Norton has is already available on the ST/TT especially when it comes to filesystem tools."

Meanwhile in the Hardware section of the Atari Pro message base, another type of hard drive hardship comes up: The dreaded "stiction" problem which is simply the inability of a drive to "spin up" when turned on. Phil Jensen posts:

"Every so often I see the suggestion that hard drives be left on continuously for longer life and to prevent stiction. Does this mean that the ST must be left on as well, or can its power be cycled without annoying the attached drive? Also, what is likely to happen to the hard drive in the event of a blackout and subsequent return to power?"

Sysop Bob Retelle offers:

"Phil, you can turn the ST off without turning the drive off too.. it'll just wait patiently for the ST to return to life.

My Seagate drive suffers from an extreme case of stiction, so I leave it on all the time... unfortunately when there IS a power blackout, I usually return home to a completely silent room... a sure sign that the drive is stuck and is straining its guts out trying to turn the platters.

So far that hasn't seemed to hurt the motor any, and I just have to get inside (I leave all the bolts and screws out of the drive and the case cover for just such times) and spin it up manually.

If your drive doesn't exhibit any symptoms of stiction, I don't think there's any really overriding reason to leave it on all the time though... the drives in my IBMs are well behaved, and I always spin them down when the computers are turned off."

An interesting possible remedy from Philip W. Payzant:

"Bob, I don't know anything about your Seagate drive, but I've seen several references to stiction problems before, and it occurred to me that a simpler remedy might work.

Have you tried picking up the drive and giving it a quick turn in a horizontal plane, counter to the platters' rotation? I would think the platters' inertia would result in rotation, relative to the case, sufficient to unstick them. Just a thought."

Greg Wageman puts a new spin on the "Leave it on/Turn it off" debate:

"I read an article recently that compared the power-on hours rating of a hard drive against its power-cycle rating. Given normal usage parameters (you turn it on and off once a day), you could expect approximately 10 years of power cycles, or slightly more continuous power-on hours. In other words, it doesn't really make a whole lot of difference, as the equipment will be obsolete before it matters."

In the Atari Arts Forum, talk about an article in the August 3 issue of FORBES magazine generated quite a few messages. John Bonavita posts:

"What did every one think of the Forbes magazine article? I guess it really wasn't that much of a surprise. Two things that bothered me about it was A) Not one word was said concerning the Portfolio. Why? Is the palm top still being produced? B) I don't think the article was fair when mentioning the Lynx. First off no system (when first released) has loads of games (just look at the SNES). And Atari has really pushed the system in comics, pull-out magazine sections, batman tie-in etc..

What's your opinion?"

Albert Dayes of Atari Advantage Magazine replies:

John,

"The Lynx is great but do you know of any store that has all or most of the titles in stock or a large number of Lynx in stock. It seems to me that a big problem is just not enough product to sell. Consider if you are a dealer and someone wants to buy a certain type of car from you. There person must commute 60 miles per day to work ... if after a few weeks a dealer doesn't have the car a person would want they would definitely start looking for other types of cars. That is one reason why the gameboy is doing so well ... of course there is the ad "hype" from Nintendo about it ... but if the product was widely available in stores it would help dispute that gameboy's power just from its presence alone. There are still many more factors ... but product availability is a big issue.

Compaq has a hot new low cost PC but since they can't keep up with the demand many customers are buying from Dell. The same idea applies with the Atari if the product isn't available to buy people will always look for an alternative."

John asks Albert:

"Albert, How come the stores that do carry the Lynx (Toys R Us, Games n Gadgets, etc) only offer a few titles? Is it Atari's fault or the stores?"

Albert replies diplomatically:

"I don't think its the stores fault ... there just doesn't seem to be enough product out there. If you get anyone with a Lynx and a Gameboy (or is it Lameboy) side by side anyone in their right mind would choose the Lynx."

Later Albert comes up with what sounds like a great advertising idea:

"Addiction to the Lynx ... I can see it now ... "Your honor if he wasn't playing with his Lynx on the highway this accident never would have happened. You know a good ad would be all the Supreme Court Justices playing the Lynx and all connected together via com-link (sp?). I sign on the door says the Supreme Court will be in extended recess until final arguments over the best Lynx game are completed. (GRIN)"

Also in the Atari Arts Forum, rumors have been circulating about the health of Atari Advantage Magazine. Glenn Gorman asks:

"What's going on with Atari Advantage now???? Now I hear that it has been discontinued. Is there any truth to this???? I'm still waiting for this (GULP-Where's it at) June/July issue."

Albert Dayes of Atari Advantage (Boy, he's a busy guy!) answers:

"As far as I know from the Atari Explorer on-line ... the editors have been hired by Atari Corp. The FALCON issue of Atari Advantage has been mailed out ... there is to be more information coming on subscription transfers, etc to Atari Explorer ... and other options. Atari Explorer on-line magazine should have more details on this shortly. And if I hear anything more on this issue I'll be sure to inform. That is all I know currently. But your FALCON issue is in the mail never the less."

Jim Ness tells Glenn:

"Check out Atari Explorer Online, in Lib 15 here. It announces that the editors of Atari Advantage have been hired by Atari to run Atari Explorer, and will be moving to Sunnyvale.

The June/July issue has been mailed, and subscribers will be offered Explorer subscriptions, since Atari Advantage will be discontinued.

It sounds like a good move for everyone involved, and I wish them all luck. They could EASILY have picked less able folks to run Atari Explorer."

Ron Luks adds:

That's for sure. Mike Lindsey is an excellent choice to take over Explorer.

I would like to take a moment to editorialize and say that John Jainschigg has consistently improved upon what EXPLORER was when he took command of it and that he has constantly proven himself to be a man of integrity and conviction. We at STReport wish him the best of luck in all of his endeavors. I'd also like to point out that, even though John is a very tough act to follow, we are sure that Mike Lindsey will do well and bring his own style to EXPLORER and that we wish him the smooth sailing throughout the staff transition.

In the Atari Vendor's Forum, Carl Kreidner asks:

"We have CardFile 3 (ver 3.01) , which my wife uses to keep an address book. When we tried to print labels, it insisted on form feeding even with `cfg/reports/labels/number_of_page_feeds` set to zero. Since the printer considers a page 66 lines and labels are 6 lines each, setting `labels_up_and_down` to 12 prints 12 labels, skips 10, prints 12, etc. Choosing 11 prints 11, skips 11, prints 11, etc. Choosing 10 is seems to be the best since it prints 10, skips 1, prints 10, etc. How do I get rational behavior? I have spent considerable time reading the manual, and I am fairly sure the solution is not contained therein."

Brian Gockley replies:

"This is a known bug, fixed in the upgrade to 3.03. That upgrade is available as a patch program in the libraries here.

If you go into the libraries (type `go atariven` and choose option 3) the select the `gribnif` library, then browse with the key word `Stalker`, you should find a file that you can download that will patch your 3.xx to 3.02.

Just a note, I failed miserably in my upgrade attempt and eventually just sent them my master disk. Sometimes things work out and sometimes..."

Carl finds the file and tells Brian:

"Well, my first worry was that you sent me looking for Stalker when the problem is CardFile. But I went anyway and found a patcher to take 3.01 CardFile to 3.03. However, this does not solve the problem.... As you may recall the problem is that CardFile wants to throw out a form feed every N labels where N is the number you chose in cfg. The closest thing to working is a choice of 10 labels per page which skips one, while choosing 11 skips 11. So what now?"

Most of us have heard the phrase "When all else fails... read the manual". There is a little known extension of that rule that says: "If reading the manual fails, call the manufacturer/distributor/whatever". Brian tells Carl:

"When I have trouble, I call Dan at Gribnif...1-413-247-5620. I call him often! What is your hardware configuration (printer, monitor, etc.?) In addition to having your configuration list handy, it's a good idea to have a list of your auto programs and accessories as well as your serial number handy."

Well that's it for this week, folks. Tune in again next week to find out what they are saying when PEOPLE... ARE TALKING.

IMPORTANT NOTICE!
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STReport International Online Magazine is available every week in the ST Advantage on DELPHI. STReport readers are invited to join DELPHI and become a part of the friendly community of Atari enthusiasts there.

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by Doyle C. Helms Jr.
Software Editor @ ST Report

Well, I hope you derived some use or enjoyment from the last installment of WAZZUP. As I said in the first installment, I hope to convey an idea of what is available from the major On-Line (Pay-for-service) networks for your enjoyment and edification.

Let's take a look at CIS (CompuServe Information Service) first this week to see what useful, helpful or maybe entertaining among the files that are available.

ATARI ARTS (GO ATARIART)

ANIMATION FILES GALORE!

If you are into graphics (color) on the ST, and who isn't, then you should definitively consider downloading the following animation/demo files from ATARIART on CIS.

WRLDWA.ARC

This animation involves 3 American Sherman tanks in battle against 3 German Panther tanks. This is a well executed and imaginative animation showing some of the capability of the ST in graphic action. this file also includes an AVS accompaniment sound file!

TERADA.ARC

Terradactyl, another animation file for you viewing pleasure. this animation was created using Chronos with the MORPH option for the wing movements. This file also includes AVS sound.

TANKAT.ARC

The animation involves a Sherman Tank attacking an artillery position. This file was created using CyberSculpt. AVS sound included.

TAKEOF.ARC

This is a very detailed animation showing a Sopwith Camel (biplane) taking off and flying into the distance. AVS sound also.

STWARS.ARC

This "computer wars" animation involves the ATARI Federation versus the AMIGA Empire! the ship construction was done with CyberSculpt and the animation created with Chronos. AVS also.

GLASSD.ARC

This animation shows a .45 Colt blowing away a wine glass. The wine glass has a mind of its own though! Will execute on a one meg machine. AVS Sound.

BOB.ARC, BIPLAN.ARC and ATTACK.ARC are also a few other interesting highly animation files.

GAMES? DID YOU SAY GAMES?

There are a couple of outstanding games featured this week in the ATARI ARTS forum.

SEEKER.LZH

GoldSeeker is a Lode Runner type clone. Many levels with plenty of challenge. User definable levels. Color Only.

MOONLD.ARC

MOONLORD, Shareware by Clayton Walnum. Graphics by Maurice Molyneaux. The Dreaded _M outdoes himself in this game! This is a strategy game by an expert game maker. Color Only.

DROID.LZH

Simple platform type game. Fight your way through HORDES of enemy robots and artillery to break free from the myriad of caverns in which you have become lost! Low Res COLOR Only.

ATARI PRODUCTIVITY (ATARIPRO)

SYSTEM.LZH

This is a neat ACC from Germany. This file can be used as either an ACC or a executable program depending on how YOU name it. The program shows the various information on you disks (HD and Floppy), the amount of free and used memory. The user is also allowed via a small control panel to set system time and date, turn the bell on/off and some other useful little things.

GRAPH.LZH

Grapher program is a "sub-set" of the famous BSTAT 2.xx series of spreadsheet/graphing program. This program only has the graphing ability of BSTAT. If you need a GOOD graphing program that allows the user to use GDOS(G+Plus) to output excellent quality hardcopy graphs, then you need GRAPH! Non-GDOS screen dumps output available for Epson 9 and 24 pin clones and also to the HPLJII series printers.

BSTAT4.LZH

This is version 2.43 of the famous BSTAT program. This program allows the user to graph different statistics in a wide variety of graph types. This is a fully working program with NO restrictions. The author requests a Shareware fee and will provide a nicely done user manual for the submission of the fee. This program will output EXCELLENT hardcopy graphics to you printer (Laser or Pin) via GDOS(G_Plus). If you do not wish to use, or cannot use GDOS(why not?), the user is afforded the option of screen dump type outputs to Epson dot matrix 9 or 24 pin printers or the HPLJII printer. You cannot BUY a program of this quality for the shareware asking price, nor can you buy a program of this type with this kind of quality output at ANY price for the ST!

AUTORA.LZH

AUTORAISE is a nice little accessory that allows the window that is under the mouse pointer to be brought to the top of the "stack".

LED.LZH

This program lights the LED (light) of drive A whenever a HD partition is accessed. Also includes LED_B which does the same for drive B.

G_MAP.ARC

This program displays a graphic map of your HD and in turn you can decide if de-fragmentation is necessary. From the people who brought you Beckmeyers Hard Drive Sentry!

SCRLFX.LZH

This program is similar to Codeheads BUTTNFIX program. This program fixes the double-scroll problem found in TOS 1.4 and up. This program WORKS in 2.06-3.06. PD from Ian Lepore.

That about it from CIS this week, of course there were other uploads that deserved attention, but I just don't have the space for them.

Doin'Delphi --

DRWARBEAU took the time to post some very nice Postscript type 1 fonts for all to use. User DRWARBEAU also included a small file that shows a sample of the fonts for print out. Altogether DRWARBEAU posted 11 files! ANNSTONE, BEFFLE, BELLBOTTOM, El GARRETT, GOUDY 100, GRIFFIN DINGBATS, HARRINGTON, KRAMER, MIRA, JEFF NICHOLS and lastly PEPITA! Thanks DRWARBEAU!

FREDTUT uploaded a version 5.0 of GOGO ST/TT. All resolutions of the ST and TT are supported as of version 5.0!! GOGO ST/TT is a hotWire type file runner that is well executed and well supported. The file message posted with GOGO says nothing of this being a DEMO. The program IS a full blown version, BUT there is a one minute title display that is shown at first use that the author will eliminate for you once the shareware fee is paid.

FREDTUT has been busy this week! FREDTUT also posted the WARP_9 replacement font from Cherry fonts. This font is for use from within Warp 9 as a replacement for the standard system screen font. This font is one that should be STANDARD on all ST's!

BOOZGEM 2.1.3 was also posted by FREDTUT! BOOZGEM beta is a full GEM implementation of BOOZ, the Un-ZOO utility. this version does NOT handle subdirectories within archives.

Here are a couple of helpful files for you PASCAL programmers!

PASCAL PROGRAM LISTER allows selected procedures to be printed, page number of all procedures and function calls.

FOREST 2 PASCAL HELPER produces a table of contents from a PASCAL source code file. Thanks to PLEFEBVRE for these helpful files!

PLEFEBVRE also posted AND authored JumpStart 2.7. the latest version includes View text files, load uninstalled programs. Improved Dialog boxes! This program is also similar to Hotwire (in concept) and GOGO ST/TT. Shareware.

boondoggle excuse. When the truth finally became known, there was no adverse reaction from the users about the truth. The only significant negative reaction was to Atari's blowing smoke at them for so long a time. Its a given that if this was a one time or even seldom occurrence it would be a non-issue but unfortunately.. its not.

Through the years, Atari has engaged the expertise of the masters of 'information' to explain away the disparity involved in a large number of _sore_ spots. For example,

- (a) the Chinon drive refresh problem.
- (b) the Federated getting the double sided drive equipped 520stfm units before the dealers corps received theirs.
- (c) the cancellation of the user favorable exchange program because of a single abuse cited.
- (e) the consistent forty folder problem.
- (f) Flow control being broken.
- (g) the initial release of the 1040STe units clobbering hard drives, no recall issued, if you happen to get one and don't complain or use a hard drive, tough luck you'll never know if you're sitting on a time bomb until you try to use a hard drive.
- (h) the MSTe shipping with TOS 2.05 installed and the dip switch #7 in the High density position while 2.06 is on sale everywhere.
- (i) The business of the MSTe shipping with the OLDER Tos 2.05 that is acknowledged as being "broken" when it comes to a high density floppy drive's use and of course Flow Control.

While anyone can _buy_ Tos 2.06 and install it themselves even if they bought the MSTe a week ago they must pay extra for the TOS 2.06 upgrade. Until recently, the same was true for the TT they were not being shipped with the high density drives installed. There are a number of older TT's out there that are not anything like the more recent models shipped. Some, are still only 16mhz.

Speaking of the TT, it is STILL only Class A accepted by the FCC. WHY? What is Atari's problem with the FCC? Why is it the TT and many of Atari's previous products, such as the SLM Laser Printers, had so much trouble and ultimate never were certified for class B. Forbes pretty much sums it all up in the expression they used for the title of their, hard hitting to the core, article....

"CHEAP DIDN'T SELL"

Truly its time for sweeping changes to be made in Sunnyvale. The "cheeps" didn't do the trick, the vendettas aren't working and the hairbag politics are backfiring. Atari must make some serious changes; they must end the friction in the userbase and above all else they simple have to stop trying to manipulate the press into giving them favorable coverage. The proper way to enjoy favorable press coverage is to _earn_ it.

Fortunately, other, more prominent publications are very much aware of the secretive coercive efforts being undertaken by Atari's Brodie and soon the entire escapade will be made public for all to see. You see, we've

Now the ST enthusiast is probably aghast at all this confusion of hardware and software. The easy solution, he says, is for everyone to throw away all their IBM hardware and buy the ST, with its handful of hardware options and single operating environment.

Let's take a look at the situation for a large company which might want to switch to ST's. The first question is, where is a dealer? If you are lucky, perhaps there is one in the same state. What about service? Can you get same-day on-site service for dozens, perhaps hundreds, of ST's and peripherals? After all, it can cost you a lot of lost revenue if your computer goes down and you depend on it, whether you are a small or a large business. Atari's MegaSTE manual suggests you bring your computer to a service center. Too bad if the nearest one happens to be hundreds of miles away. How many Atari dealers are able to offer on-site service?

Next, can you get adequate, professional training for your ST's and the software you are using? It's not enough just to throw the manual at your staff and tell them to read it. Not in a large corporation. Microsoft University has ten regional training facilities across North America and there are 39 Microsoft University authorized third-party training centers across the USA, where qualified instructors licenced by Microsoft can teach courses on installing, customizing, and using Microsoft Windows 3.1. Plus, there are over 100 smaller Microsoft Authorized third-party Training Centers scattered across the USA.

What about qualified consultants to help you solve problems and plan your computer operations? Microsoft offers exams to qualify as a Microsoft-certified consultant. Many of the larger MSDOS software and hardware companies offer similar certification, testing, and training (e.g Novell) for their hardware or software. So our business person can be reasonably sure that the people that claim to be consultants actually have qualifications.

Atari (in the MegaSTE user manual) suggests you WRITE to them for technical assistance. They don't even list their phone number.

What about networking and network-aware software? There are all sorts of different LAN products for the IBM PC. My MegaSTE manual is remarkably silent on the subject of the LAN port. Assume that a third-party developer creates LAN software for the ST, is our business person expected to install and configure the LAN him/herself, from reading the manual? What ST business software is LAN-aware? Any business large enough to need to network computers will also want qualified consultants to install and service the LAN on-site and same-day. Hands up, all qualified Atari ST LAN installers or LAN consultants.

Atari devotes five sentences in the MegaSTE manual to a brief description of what a LAN is. No mention is made of where to get LAN software.

What about communicating with mainframes? There is a whole industry built up around custom hardware and software to communicate between IBM PC's and various mainframe computers. As far as I am aware, there is no equivalent to this on the ST.

How about them VME cards? I have yet to hear from anyone who has actually plugged a VME card into their MegaSTE. I wonder how many VME cards come with ST software drivers? Referring to my MegaSTE manual: (quote) "For complete instructions on how to connect a VME device to your computer, consult the device owner's manual." Is it really that simple?

What about supporting all sorts of different and exotic printers? Windows comes with support for over 300 different printers. Third party software vendors and hardware manufacturers offer drivers for many more, including many 24-bit color printers. How many different printers have GDOS or FSMGDOS drivers?

Over the years, I have heard dozens of Atari users whine about how the ST is perceived as a game machine and how unfair it is that businesses ignore a machine that has spreadsheets and databases and lots of other 'business' software. If only, they moan, Atari would just advertise the ST, things would turn around and businesses would start buying ST's.

Lets face reality, folks. You can talk till you are blue in the face about the (supposed) superiority of Atari hardware and software. It doesn't matter!!

The fact is that there is no significant support infrastructure for the ST in North America. No training facilities, no on-site same-day service, no pool of Atari ST hardware/software/LAN consultants. Without that level of support, no business of any significant size is going to take a serious look at the ST. If I'm wrong, please set me straight.

Whatever success Atari is going to have in North America, either with the current ST or any new machines, will mostly be in niche markets, MIDI/Music, and home entertainment. It isn't going to be in business.

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:HOW TO GET YOUR OWN GENIE ACCOUNT:

To sign up for GENie service:

Set your communications software to Half Duplex (or Local Echo)

Call: (with modem) 800-638-8369.

Upon connection type HHH (RETURN after that).

Wait for the U#= prompt.

Type: XTX99587,CPUREPT then, hit RETURN.

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and have specifically asked that we respond to the following questions:

"QUESTIONS FOR CONCEPTUAL CLARIFICATION

"1.0 What is the meaning of the phrase 'for archival purposes' in Section 117 of the U.S. Copyright Law?

"2.0 What is the difference in the intent of 'archival use' in Section 108 of the U.S. Copyright Law versus that of Paragraph 2, Section 117?

"3.0 What, if any, is the difference between an 'archival' copy and a 'backup' copy as it applies to Section 117 of the U.S. Copyright Law?

"QUESTIONS OF LEGALITY

"4.0 Is it legal to make (as opposed to use), at one time, more than a single archival copy of a copyrighted computer program?

"4.1 If the answer to 4.0 is 'yes', is there a limit to the number of archival copies which may be on hand (but not used) at one time?

"5.0 Is it legal to use an archival copy of the original computer program, with the original program being protectively stored away?

"5.1 If the answer to 5.0 is 'yes', and if the archival copy is damaged during use, can another archival copy be made from the original and used without the permission of the copyright owner?

"6.0 Is it legal to use a purchased program sent from a manufacturer labeled 'archival' simultaneously with the original copy of the program received at the same time?

"6.1 Is it legal to make an archival copy of a rightfully owned disk that is labeled 'archival' by the software manufacturer?

"6.2 Is it legal to transfer the ownership of a disk labeled 'archival' by a manufacturer while retaining the purchased original copy of the same program?

"6.3 If the answer to 6.2 is 'yes', is the new holder of the 'archival' disk then entitled to copy the 'archival' program they have been given?

"7.0 Is it legal to load a copyrighted program from a single disk into a distribution network or into individual stand-alone computers for simultaneous use, without the permission of the copyright owner?

"8.0 Is it legal to alter a copyrighted computer program in any way during the process of making an 'archival' copy?

"8.1 If the answer to 8.0 is 'yes', may this archival copy be used in an educational setting?"

Our conclusions may be summarized as follows:

1.0 The use of the phrase "for archival purposes" in 17 U.S.C.A. section 117 (2) [note: All references hereinafter are to Title 17 of the United States Code unless otherwise stated] means that the owner of a copyrighted computer program may prepare a copy or adaptation of the program for the limited purpose of protecting use of the program against destruction or damage by mechanical or electrical failure. The making of

copies for archival purposes protects the owners of computer programs by granting them the right to make backup copies.

2.0 We conclude that the difference between section 108 and section 117 (2) is that section 108 uses the term "archives" as a reference to a place in which public records or historical documents are preserved [note: Webster's New Collegiate Dictionary defines archive as: "a government house; a place in which public records or historical documents are preserved."] rather than the use to which a copy of a computer program may be put. Section 108 authorizes libraries or archives to make a copy or phono record of a work for specified purposes such as the replacement of a copy or phono record that is damaged, deteriorating, lost, or stolen or when the library or archives determines that an unused replacement cannot be obtained at a fair price. Section 117 on the other hand is aimed at owners of computer programs as opposed to libraries or archives. In both instances it appears that the intent is to authorize the making of copies for purposes of preservation.

3.0 We conclude that there is no difference between an "archival" copy and a "backup copy" as these terms are used in the context of section 117 (2). It appears that the terms are used interchangeably.

4.0 The owner of a copy of a computer program legally may make more than one copy for archival purposes.

4.1 Section 117 does not impose any limitations on the number of archival copies that an owner of a copy of a computer program may make.

5.0 We conclude that it is legal to use an archival copy of the original computer program with the original program being protectively stored away.

5.1 If the archival copy is damaged during use, another archival copy may be made from the original and used without the permission of the copyright owner.

6.0 Although not free from doubt, we conclude that it is legal to use a purchased program sent from a manufacturer labeled "archival" simultaneously with the original copy of the program received at the same time provided said use is permitted by the terms of the sales agreement.

6.1 It is legal to make an archival copy of a rightfully owned disk that is labeled "archival" by the software manufacturer.

6.2 We conclude that it is not legal to transfer the ownership of a disk labeled "archival" by a manufacturer while retaining the purchased original copy of the same program.

6.3 The new holder of the "archival disk" would be entitled to copy the "archival" program they have been given provided that is the only copy they were given.

7.0 We conclude that the loading of a copyrighted program into a distribution network or in individual computers for simultaneous use without the permission of the copyright owner would be in violation of copyright law.

8.0 We conclude that it is not legal to alter a copyrighted computer program in any way during the process of making an archival copy unless such an alteration is an essential step in the utilization of the computer program in conjunction with a machine.

8.1 We conclude that an archival copy altered during the copying process may be used in an educational setting.

DISCUSSION

On December 12, 1980, President Carter signed into law (P.L. 96- 517) which amended the 1976 Copyright Act. The amendment in effect repealed section 117 of the Act, and replaced it with a new section 117. The former section 117 dealt with the use of copyrighted works on computers and did not address the issue of copyrightability of computer programs. The repeal of section 117 was a result of a study conducted by the National Commission on New Technological Uses of Copyrighted Works (CONTU). Based on the recommendations made by CONTU, section 117 was repealed and a new section 117 was enacted to govern the copyright ability of computer programs.

There is very little case law on the interpretation of section 117 and the legislative history is also scant. However, since Congress adopted the recommendations of the CONTU report without alteration, it is fair to conclude that the CONTU report reflects the congressional intent. (*Midway Mfg. Company v. Strohon*, 564 F.Supp. 741, 750 (n6) N.D. Ill. (1983).)

"1.0 What is the meaning of the phrase 'for archival purposes' in Section 117 of the U.S. Copyright Law?"

Section 117 states in pertinent part:

"Notwithstanding the provisions of section 106, it is not an infringement for the owner of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:

(2) That such new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful . . ."

In explaining the limited purpose of the archival exception, the CONTU report at page 31 states:

"One who rightfully possesses a copy of a program, therefore, should be provided with the legal right to copy it to that extent which will permit its use by that possessor. This would include the right to load it into a computer and to prepare archival copies of it to guard against destruction or damage by mechanical or electrical failure. This permission would not extend to other copies of the program."

With this guidance, the court in *Atari, Inc. v. JS&A Group, Inc.* (1983) 597 F.Supp. 5 held that "[w]here, and only where, a medium may be destroyed by mechanical or electrical failure, the archival exception protects the owners of programs stored in that medium by granting them the right to make backup copies." (*supra* at p. 9.)

We conclude, therefore, that the phrase "for archival purposes," as used in section 117 (2) means that an owner of a computer program is authorized to make a copy or adaptation of said program for use as a backup copy where there is a danger that the original may be destroyed by mechanical or electrical failure. The purpose of section 117 (2), is clearly to protect the use of computer programs against the risk of destruction or damage.

"2.0 What is the difference in the intent of 'archival use' in Section 108 of the U.S. Copyright Law versus that of Paragraph 2, Section 117?"

Section 108 provides in pertinent part

"(a) Notwithstanding the provisions of section 106, it is not an infringement of copyright for a library or archives, or any of its employees acting within the scope of their employment, to reproduce no more than one copy or phono record of a work, or to distribute such copy or phono record, under the conditions specified by this section, . . ."

The application of this section is clearly limited to libraries and archives. The use of the word "archives" in this provision is in reference to the place in which public records or historical documents are preserved and a further reading of section 108 reveals the conditions under which places such as archives may reproduce or distribute copyrighted work. Section 117, on the other hand, is applicable only to owners of computer programs and specifically makes reference to the making of copies for "archival purposes." The use of this latter term is in reference to the actual use to which copies may be put.

A library or archives, under the conditions specified in section 108, may reproduce or distribute no more than one copy or phono record of a work provided the collections of the library or archives are open to the public or available to persons doing research. (Section 108 (a) (2).) The reproduction or distribution of the work must include a notice of copyright. (Section 108 (a) (3).) A library or archives may not reproduce or distribute a copy or phono record of a work if it is for a direct or indirect commercial advantage. (Section 108 (a) (1).)

For example, under the circumstances stated above, section 108 authorizes a library or archives to make a copy of a copyrighted work for purposes of replacement of a damaged, deteriorating, lost or stolen copy if the library or archives has determined that an unused replacement cannot be obtained at a fair price. In addition, section 108 addresses the making of copies by users of the library or archives.

We conclude that the difference in the intent of "archival use" in section 108 and section 117 is that section 108 states the conditions under which a specific type of entity (libraries or archives) may make copies of any copyrighted work whereas section 117 provides the purpose for which any owner may make copies of a specific type of copyrighted work (computer programs). Section 108 does not use the term "archival use" and does not limit the use of copies for "archival purposes" as the latter term is used in section 117. (See discussion of meaning of the term "archival purposes" under 1.0.)

"3.0 What, if any, is the difference between an 'archival' copy and a 'backup' copy as it applies to Section 117 of the U.S. Copyright Law?"

There does not appear to be a difference between the terms "archival" copy and "backup" copy in discussions dealing with section 117. Our research indicates that both terms are used interchangeably. In *Atari, Inc. v. JS&A Group, Inc.* (1983) 597 F.Supp. 5 at p. 9, the court states:

"The archival exception protects the owners of programs stored in that medium by granting them the right to make backup copies . . ."

"4.0 Is it legal to make (as opposed to use), at one time, more than a single archival copy of a copyrighted computer program?"

It is unclear whether more than a single archival copy of the copyrighted computer program legally may be made at one time. However, a review of section 117 and portions of the CONTU report suggest that more than one copy of a computer program may be made for backup purposes only.

Section 117 states in pertinent part ". . . any exact copies prepared in accordance with the provisions of this section may be leased, sold, or otherwise transferred, along with the copy from which such copies were prepared, . . ." A National Science Foundation report to CONTU as cited by the court in *Apple Computer, Inc. v. Formula International, Inc.* (1984) 594 F.Supp. 617 states as follows:

"In order to effectively use a copyrighted computer readable work, an owner of a copy should have the right to make and retain additional copies for his internal use . . ." (at page 621).

The CONTU report also states at page 31: ". . . This would include the right to load it into a computer and to prepare archival copies of it to guard against destruction or damage . . ." In addition, the court in *Atari, Inc. v. J S & A Group, Inc.* (1983) 597 F.Supp. 5 also recognized that ". . . the archival exception protects the owners of programs stored in that medium by granting them the right to make backup copies."

We conclude therefore that in the absence of a statute that specifically prohibits the making of more than one archival copy, the above language found in the CONTU report, cases and in section 117 suggests that the owner of a computer program may legally make more than a single copy for archival purposes.

"4.1 If the answer to 4.0 is 'yes', is there a limit to the number of archival copies which may be on hand (but not used) at one time?"

We have found no case law or statutes on the issue of whether there is a limit on the number of archival copies which may be on hand (but not used) at one time. However, since the clear intent of section 117 is to protect the use of a computer program against the risk of destruction or damage and the backup copy provides said protection, and is not to be used as a second copy of the original, we see no reason why there would be a need for more than one archival copy. The intent of section 117 (2) as has been discussed above is to protect the original copy of a computer program against a particular type of risk--in this case destruction or damage by mechanical or electrical failure. The making of more than one archival copy would be within the spirit of the law provided said copies are stored and used only as backups.

"5.0 Is it legal to use an archival copy of the original computer program, with the original program being protectively stored away?"

By using an archival copy and storing away the original, the owner of a computer program would in effect be protecting the original against destruction or damage and would not be going against the intent of the law.

We conclude that it is legal to use an archival copy of the original computer program while the original program is protectively stored away.

"5.1 If the answer to 5.0 is 'yes', and if the archival copy is damaged during use, can another archival copy be made from the original and used without the permission of the copyright owner?"

If the archival copy which is being used is damaged during use, we

conclude that another archival copy may be made from the original and used without the permission of the copyright owner. Since the purpose of making an archival copy is to provide the owner of the computer program with a backup copy, it follows that upon damage to the archival copy, which is being used in lieu of the original, the owner should be able to produce another copy even if the original is to be used as the backup.

"6.0 Is it legal to use a purchased program sent from a manufacturer labeled 'archival' simultaneously with the original copy of the program received at the same time?"

The limited purpose of the archival exception is to "guard against destruction or damage by mechanical or electrical failure" (CONTU report at p. 31; Atari, Inc. v. JS&A Group, Inc. (1983) 597 F.Supp. 5). The archival exception of section 117 (2) applies only to owner made or owner authorized copies of the original. Furthermore, there is no indication in the cases discussing the CONTU report that section 117 was intended to apply to manufacturer supplied archival copies. It would appear from the above that a manufacturer supplied archival copy would not be subject to the restrictions of section 117 and that section 117 does not prohibit an archival copy supplied by a manufacturer from being used simultaneously with the original copy. We recognize that this technical construction of section 117 is inconsistent with the intent of the legislature in enacting section 117. We caution therefore that there is a certain degree of uncertainty as to how a court would decide whether such use of an "archival" copy supplied by a manufacturer is in violation of the copyright law. We therefore conclude that whether or not the use of an "archival" copy supplied by the manufacturer may be used simultaneously with the original copy, would best be determined by the contractual terms of the sales agreement. In view of the uncertainty discussed above, we would suggest that an owner who is being supplied with an "archival" copy and who intends to use it simultaneously with the original, ensure that such use is covered by the terms of the sales agreement.

"6.1 Is it legal to make an archival copy of a rightfully owned disk that is labeled 'archival' by the software manufacturer?"

The owner of a computer program which is labeled "archival" by the software manufacturer is authorized by section 117 (2) to make a copy of said program for "archival purposes." If the archival copy is the only copy of the program that the owner has in his or her possession, then the making of another copy to protect the "archival" copy would be authorized by section 117 (2). However, if the owner has an "archival" copy provided by the software manufacturer in addition to an original copy, we see no reason for the making of another archival copy since there appears to be a backup in existence.

"6.2 Is it legal to transfer the ownership of a disk labeled 'archival' by a manufacturer while retaining the purchased original copy of the same program?"

Section 117 requires that copies made for "archival purposes" by the owner of a copy of the program be destroyed when the owners "continued possession of the computer program" ceases to be rightful. The section goes on further to state that archival copies prepared pursuant to section 117 may be leased, sold, or otherwise transferred, along with the copy from which such copies were prepared, only as part of the lease, sale, or other transfer of all rights in the program. It is not clear, however, whether this provision would apply to archival copies supplied by the manufacturer. Any right of a purchaser to transfer the ownership of the

original copy of a computer program or a manufacturer supplied archival copy would usually be governed by the terms of the purchase or lease agreement. In the absence of a provision of the agreement governing the ability to transfer ownership of the original or archival copy while keeping the other, we believe that the owner of such a copy would be subject to the provisions of section 117 since the archival copy provided by the manufacturer is designed to be used as a backup pursuant to the intent of section 117. The archival copy may therefore be transferred only if the owner is also transferring the original copy from which the archival copy was prepared. The owner may, however, transfer the ownership of an archival copy provided by the manufacturer and retain the purchased original where such transfer is authorized in a contractual sales agreement between the manufacturer and the owner/purchaser.

In view of the uncertainty in this area, we would advise that the owner of a computer disk labeled "archival" by a manufacturer not attempt to transfer the ownership of said disk without the authorization of the manufacturer.

"6.3 If the answer to 6.2 is 'yes', is the new holder of the 'archival' disk then entitled to copy the 'archival' program they have been given?"

In view of our response to 6.2, a response to 6.3 is not necessary.

"7.0 Is it legal to load a copyrighted program from a single disk into a distribution network or into individual stand-alone computers for simultaneous use, without the permission of the copyright owner?"

The court in *Apple Computer, Inc. v. Formula International, Inc.*, (1984) 594 F.Supp. 617, 621 quotes an excerpt from the CONTU report which states that an owner's right to internal use of his copies of a copyrighted program "should not include the right to make the work available to outsiders by a computer network or otherwise." The court in *Apple* also notes a CONTU Commissioner's opinion that if a copy of a work is to be stored in a computer and subsequently made accessible to others, its creation would have to be properly authorized by the copyright's proprietor. (*supra* at 621.) The court concluded that a copy of a computer program authorized by section 117 may be made only for the owner-user's internal use. Section 117 does not authorize the loading of a copyrighted program from a single disk into a distribution network or to individual stand-alone computers for simultaneous use where it would allow access by persons other than the owner-user. If, however, the distribution network provides communication only to the owner-user's business or all of the individual's stand alone computers are used in the owner-user's business, then such use would be appropriate.

Section 107 articulates the so-called "fair use" doctrine that:

". . . the fair use of a copyrighted work, . . . for purposes such as . . . teaching (including multiple copies for classroom use), . . . is not an infringement of copyright. In determining whether the use made of a work in a particular case is a fair use, the factors to be considered shall include:

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes.
- (2) the nature of the copyrighted work.
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole and (4) the effect of the use upon the

potential market for or value of the copyrighted work."

Although the use of a computer program by the County Department of Education or a school district might be for nonprofit educational purposes, the nature of the work to be reproduced in this instance, an easily duplicated computer program, would weigh against its being exempt under the "fair use" doctrine when section 117 of the Act, which expressly addresses computer programs, is considered. By loading the copyrighted program into a distribution network, the program would be made available to a wide range of educational institutions thereby negatively impacting the potential market for the sales of that particular computer program. Loading the copyrighted program into a distribution network which is accessible only to the owner-user would however be permissible. We therefore conclude that the loading of a copyrighted computer program into a distribution network accessible by persons other than the owner-user would be in violation of copyright law.

"8.0 Is it legal to alter a copyrighted computer program in any way during the process of making an 'archival' copy?"

Section 117 (1) states that an owner may make a copy or adaptation of computer program provided that "such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or . . . (2) such a new copy or adaptation is for archival purposes only" The right to make a copy of a computer program exists only "to that extent which will permit its use by that possessor" (Apple Computer, Inc. v. Formula International, Inc. (1984) 594 F.Supp. 617). As further stated in the Apple case "The intent of that section 117 is to provide a legitimate holder of a computer program with permission to do that copying of the program which is necessary for him to be able to use it in his computer without running afoul of possible infringement actions." (supra at p. 621.)

Based on the above, we therefore conclude that the alteration of a copyrighted computer program during the process of making an archival copy is permissible only if the alteration is necessary for the owner's use in his computer.

"8.1 If the answer to 8.0 is 'yes', may this archival copy be used in an educational setting?"

As discussed earlier, an archival copy may be used as a backup copy or in lieu of the original and may be used in an educational setting by the owner. However, an archival copy may not be used as a second copy of the original neither may it be used over a network system for utilization by persons other than the owner-user.

Please note that the right to make a copy or adaptation for use or archival purposes as discussed above extends only to the owner of the copy of a computer program and not to someone who merely acquires possession of the copy by rental, lease, or otherwise, without acquiring ownership of it.

Please do not hesitate to contact us if you have any further questions.

Very truly yours,

LLOYD M. HARMON, JR., County Counsel

By
DESIREE A. BRUCE-LYLE, Deputy

This lengthy opinion will not be analyzed here. Although (reflecting the fact that its author was not a specialist in copyright law) it contains several errors in the more obscure areas of the law, it is nevertheless right on target in its treatment of the most basic areas (such as archival backup and the use of backup copies) of vital importance to computer users. A detailed analysis is given in the reference cited below.

Read all about it in "THE COPYRIGHT GAME, ETC.--A Strategic Guide for the Computer Software User," by Albert Silverman. ISBN 0-9527435-1-8. 330 pages in nominal 8-1/2"x11" format, softbound with an attractive cover.

What is the purpose of this book? Replacing the legal Mumbo-Jumbo with plain English, it provides an all-inclusive, detailed, and impartial explanation of the computer software copyright laws, using past court cases for clarification of obscure language in the written letter of the law. Since there is NO commercially-generated distortion, it is likely that you will find some surprises; i.e., which run contrary to the industry's self-serving "interpretation" of the law. Thoroughly debunked is the industry's attempt to pirate your legal rights by the use of a phoney "licensing strategy." Included is a detailed and entertaining analysis of several leading Software License Agreements. In summary, you are provided with sufficient and accurate information (i.e., the legal FACTS) to permit you to handle your computer software in the manner intended by the U.S. Congress, while safely ignoring those industry perversions of the law which seek to gain for it an unfair advantage.. at YOUR expense.

Exposed in great detail is the outrageous software industry piracy of the legal rights of unsophisticated software users (directed by unconcerned educational administrators) within the California public schools. For the first time ever, this well-hidden scheme has been unearthed (with supporting and incriminating documentation from my extensive research into the inner educational sanctum) and is being made public. Although this ongoing effort is particularly well organized in California, the premier "computer state," it blankets the entire nation, leaving no educational level uncovered.

The disastrous result of this exceptionally cozy relationship between the computer software industry and the California Department of Education is explained. If you are at all concerned about the way in which this illicit educational-commercial "partnership" affects the integrity of computer education in your public schools and drains away your tax money to line the software industry's pockets with unwarranted profits, this book is essential reading.

What will NOT be found in this book? Since its sole purpose is to ensure that you understand precisely what conduct is required for your (simultaneous) compliance with federal copyright law and state licensing law, there are no sermons about your "moral" or "ethical" obligations. That is, it is only your hard and fast LEGAL obligations which are addressed. The industry's "moral suasion" is most often an attempt to get the software user to obey the law; i.e., it is a substitute for the economically-unfeasible prosecution of small- scale violations of the

For the past five years ICD has enjoyed an enviable reputation as the world leader of interfaces connecting Atari ST computers to SCSI devices. Not willing to rest on its laurels, ICD is always looking for ways to push the envelope for data transfer rates, to use the latest in hardware and software technology in order to continually redefine state-of-the-art in the Atari ST host adapter market. This path has given ICD customers the fastest possible hard drives, with uncompromising compatibility and speed at competitive prices.

The LINK, from ICD, allows Atari owners even more flexibility in their choice of hard drives. The LINK is an external SCSI host adapter designed to plug in to a standard 50 pin centronics style SCSI connector. In an attractively-designed molded case measuring just 2.5 inches by 3 inches and less than .75 inches thick (63x76x19 mm), The LINK will fit into most any SCSI environment. The LINK is powered by the termination line of the target SCSI device and will support up to 8 SCSI devices. This allows the use of external SCSI drives originally designed for the Apple Macintosh, IBM PC, Commodore Amiga, NeXT, Atari TT and Falcon, or most other standard SCSI drives with Atari ST, STE, Stacy, and STBOOK computers. Just plug and go. Since most drives require no modifications, The LINK won't affect the drive manufacturer's warranty.

The LINK, along with ICD's highly acclaimed software, also gives multi platform computer owners unprecedented flexibility. If the SCSI drive is formatted under MS-DOS with FDISK, the user can directly read and write files from Atari computers under TOS using the ICD driver, IBM PCs running PC-DOS or MS-DOS, and Amiga computers running AmigaDOS 2.1 or later using the integral CrossDOS utility.

Thomas Harker, President of ICD, explained;

"This is a real breakthrough in SCSI support for Atari ST computers. Not only is this a great value in hardware connectivity, but the software that comes with it is unbeatable."

CD-ROMs are now supported! Since The LINK supports extended SCSI commands we wrote MetaDOS drivers to support the SCSI-2 standard for CD-ROM players. Floptical drives are now fully supported! With the Insite Floptical drive you can read and write IBM-compatible floppy disks at 720K, 1.4Mb, and 21Mb configurations on your Atari ST computer. Magneto-optical drives are also supported! We now support virtually all R/W optical drives in the 3.5 and 5.25 inch formats."

The ICD LINK is competitively priced and will be premiered at the Atari Messe in Duesseldorf, Germany in August. ICD is taking orders now with shipments expected in mid-August. The LINK comes with a full one year warranty.

For further information, contact Thomas Harker at ICD in the United States by phone (815) 968-2228 extension # 120 or fax (815) 968-6888.

The LINK is a trademark of ICD, Incorporated. Other trademarks are those of their respective holders.

ICD, Incorporated
1220 Rock St.
Rockford, IL 61101 USA

service do not pay to do so. No one has told STReport that they cannot post STReport issues anymore. No one has stipulated that STReport cannot maintain their message Topics and support them. No one has said that STReport cannot utilize the Atari RT and other areas within GENie Atari RT to gather news items. All that the folks in the Atari RT are saying is that STReport must now pay to do so! Many have decried that this is censorship, but I must disagree with that assessment. STReport can still do everything that it was allowed to do prior to this; but now, it must pay for the "privilege". 'Tis not censorship, it's an unfair business tactic. It's a method used in the hopes that STReport will be put in the position of financial upheaval and decide that the process of gathering news from GENie Atari RT will turn out to be financially draining and STReport will just exit from the GENie Atari RT arena.

Why do I make such claims? Well, have other publications currently online had their free flags revoked? Not that I am aware. There are only two Atari-specific online magazines currently available, on all of the services. Anyone wish to hazard a guess as to what the other magazine is? Let me give you a hint, just to make sure that you can only guess once: it was recently called Z*Net. Does AE Online provide any more "support" than STReport does? Other than occasional "words of wisdom" from Atari's Bob Brodie, no. Until very recently, AEO was bi-weekly; STReport is weekly. This can equate to twice as much support. Perhaps the staff at AEO realized that in order for them to maintain "up-to-the-minute" coverage, they had to go to a weekly format. Still, both magazines provide similar coverage of the news and online support, yet, STReport's flags were revoked and AEO's are active! Makes you wonder.

So, Atari RT, please define "support" so that our readers can be informed. Could it be that GENie Atari RT's Atari RT staff feels that STReport doesn't support GENie Atari RT and the Atari RT enough in its online coverage? Or does the Atari RT staff want exclusive coverage and not provide coverage of the other online services? Or, do they want a much bigger slice of the pie so that the GENie Atari RT Atari area can maintain the claim of the "official support" service of Atari, with the slanted "proof" supported by STReport's coverage? Sorry folks, it just doesn't work that way. Free flags, at least the way in which _I_ understand them, are provided with the intention that they be used to provide support for the users of the service, resulting in more activity on that service and generating income for the host service. STReport downloads equal activity which generates revenue for GENie Atari RT. The same can be said about the message activity in the STReport message topics. So, where is the lack of support? Ralph Mariano is online every day to check messages and replies to those that do not have worms camouflaged on barbed hooks. Lloyd Pulley was almost as active. That accounts for the two flags; there was also activity by other STReport staff members who are normal paying GENie Atari RT customers, but they helped to support the STReport areas. How many people with free flags can honestly state that they call regularly to support their areas? How many of those visit areas other than their own and answer questions and provided help when able? If someone answered 50%, I'd be suspicious of that high figure. So, Atari RT staff, what's the real reasons behind this?

Initially, I thought that this was all due to an ongoing beef on the part of the Atari RT with Ralph. Then I saw a message from Ron Luks of Compuserve that stated that he was "approached" by someone from Atari. That person, nameless to the public, offered more visible online support from Atari personnel in exchange for revoking the STReport free flags from Compuserve! HMMMMM!! Isn't there an ongoing survey in which a

certain Atari employee is trying to solicit from the various online services response to the question: where do you want me to be?

Could it be possible that Atari, or an Atari representative, is seeking some kind of leverage to use on various online services to get rid of STReport? Let's see, the STReport's flags were revoked from GENie Atari RT; and GENie Atari RT would certainly NOT want to lose their contract. Compuserve was approached with the means to gain more visible support in return for STReport's flags being pulled. These two service are the two largest in the world, and obvious choices for online support for Atari to situate themselves. Gee, all that Atari is doing is asking that some free flags get pulled, and that online support will miraculously be there! We wouldn't want STReport around to muddy up the water, now would we?

Well folks, the scheme didn't work as nicely as a few people would have liked it to work. STReport supporters, and even some who aren't 'regular' supporters but saw a raw deal in the making made some generous contributions by way of "gifts of time". This has allowed STReport to continue to gather news and maintain an online presence on GENie Atari RT. To all of you who provided this magnanimous support, we thank you. To Ron Luks and his staff, we wish to thank you all for your maintaining your impeccable integrity and not accepting what can only be defined as a bribe. I believe that Mr. Luks felt that how he reacted to this "offer" was not in the best interests of his users, regardless of the possible benefits that may have been generated by more Atari visibility on Compuserve. It appears that some people have a keen sense of reality and fair play.

So where does that leave STReport with regard to GENie Atari RT? Will STReport fade away once the gifts of time are exhausted? Don't bet on it. (there's almost \$500.00 in GOT now and its building by the day!) By now, you may or not know that STReport is now attempting to be sponsored and located in a completely separate area outside of the influences of Atari RT. Where we would no longer "governed" by the politics surrounding the Atari RT. No longer would strings be attached to STReport staff with flags and internals held over their heads. The STReport flags and internal will hopefully be restored so STReport can be unencumbered financially and editorially to provide excellent online support in our own category once again. It appears that GENie staff outside the realm of the Atari RT has a real world sense of fairness; and it is much appreciated. STReport is still being hampered by arguments from the proprietors of the Atari RT and Bob Brodie. They find us to be a "valuable" Atari resource and want the issues there but Darlah claims we do not contribute a significant value to her RT to warrant consideration for the internal account, category and the flags to be restored. Oddly enough, others at GENie seem to think we do provide more than a "significant value". That only leaves us with the obvious impression that Darlah and Brodie want to be able to "control" STReport to serve their purposes, whatever they may be. They can easily do this by holding the accounts and access "hostage". We, at STReport want out from under this oppressive thumb. We want the ability to serve in an RT where we are welcome. An appropriate RT. The GENie Lamp RT. For the benefit of all the GENie subscribers who appreciate the efforts of STReport, we can only hope that this happens. Perhaps, if they were to hear from our readers and from those who still believe in a sense of fair play and freedom of the press, things will change for the better. For if this outrageous precedent is allowed to occur, all we can ask is ... who or what will be next? It is a bad precedent to set..... for anyone.

only an answering machine working? After 16 tries through the course of a day, only the machine. What is the story there? Hmm this ought to be a dilly. More Consolidation of the company's resources? An illusion? A wrong number?

- San Leandro, CA

ATARI REPRESENTATIVE DISCUSSES STREPORT

It appears one of our "super snoops" was in the same room when one of Atari's "finest" was busy singing the praises of STReport and its editor. Its one thing to brag about us but to brag about how we seem to have the "phones bugged" at Atari? 'Tis a bit much.. Of course, the party who was there, running his mouth, knows exactly what was said as we do too. Soon the entire Atari community will know also.

- Sunnyvale, CA

ATARI UPSET ABOUT FORBES ARTICLE

Oddly enough Atari's head honchos seemed to be quite upset about the Forbes article but not the way most would imagine. It appears they were more "tight-jawed" about the office changing remarks than they were over the criticisms of the company and its lackluster performance. In fact, our snoop sez the ruckus raised over the remarks about Sam's "NEW office" was "quite a scene and lasted all day long." Ah yes.. kill a leak and watch a flood. Only from graduates of business 101 and a half.

- Merlin, OR

ATARI ADVANTAGE SOLD

ATARI ADVANTAGE, offshoot of ST Informer, reportedly has been sold to Castle Publishing in Texas. Atari Advantage, in its shortlived process, has been very well received by the userbase as a factual, well-written Atari publication that was more accuracy than sensation oriented. The previous owners and editor of Atari Advantage are now in Atari's employ. They are to take over the operation of both the hard copy and the online version of Atari Explorer.

> STR Mail Call

"...a place for the readers to be heard"

STReport's MailBag

FROM CIS

(Handwriting on the Wall?)

#: 67884 S8/Hot Topics
30-Jul-92 13:03:19
Sb: #67876-#Forbes Article
Fm: CodeHead Software 76004,2232
To: INTERSECT Software 76004,1577 (X)

Jeff,

I disagree. You only have to look at the Commodore/Amiga to see an example of the good that advertising does. Back when CBM did their massive Amiga advertising push, it was de rigueur for Atari reps to mock them and say they were "wasting" their money. But talk to any developer that markets products for both Atari and Amiga, and they'll tell you that their Amiga sales are 5 to 6 times greater than their Atari sales. Coincidence? I doubt it...

Compare this to the Atari's current position. When I tell acquaintances that my company develops software for Atari computers, the universal response is, "Atari -- you mean they're still in business? I didn't know they made computers..."

The impact of this Forbes article is going to be very major, and very negative. Forbes is one of the most respected business magazines in this country, and investors listen to what Forbes says. The cows are definitely coming home.

- Charles @ CodeHead Tech

#: 67938 S8/Hot Topics
31-Jul-92 07:53:45
Sb: #67884-Forbes Article
Fm: INTERSECT Software 76004,1577
To: CodeHead Software 76004,2232 (X)

I agree that Atari Management thinks the money spent by Commodore in advertising the Amiga was wasted. They think this so strongly that they assumed that the difference in sales figures was because the Amiga had more colors and better (stereo) sound, thus the STE with the SAME specs for sound and somewhat for video. Also the MINT (multi-tasking TOS) to be released soon is somewhat like the Amiga multi-tasking.

Did I mention that the STE now has analog joystick ports like the Amiga.

I think you are right and much of the sales gains for the Amiga are due to advertising. BUT did they come out ahead after spending that money on advertising.

I realize that DEVELOPERS >>ALWAYS<< benefit from advertising dollars spent by a computer manufacturer. AND because of that DEVELOPERS are willing to spend more effort in developing software for that computer platform. The Amiga market is MUCH stronger than the Atari market. In the long run it's better for Commodore. BUT Commodore is very cash poor at the present time. They have been hurt by this recession as much as Atari has.

I run a business in a somewhat small market. For every dollar I spend in advertising I net a dollar. That means I work an extra 10 hours a week if I advertise and make NO extra money (I work those extra 10 hours for free).

In a DOS market spending a dollar in advertising nets a dollar. That's not the answer. It's necessary but you MUST LEVERAGE that money some way or you are spinning your wheels.

The customer must see some value to him in your advertising. The music industry sees value in a computer with built in MIDI ports and Atari has consistently been advertising in MUSIC Magazines.

Atari must have a machine with features not found in a DOS machine for advertising to be effective, I think they have this in the Falcon.

Now it remains to be seen how they LEVERAGE the advertising and how much they spend.....

[Jeff]

EDITOR NOTE:

The Forbes article has created quite a stir in the marketplace. To see the pointed depictions of Atari's leaders as they are is somewhat rattling to many of the Atari Apologists. You see, its very difficult to laugh or chide away the reports carried in a highly respected financial publication. As I see it, the fat lady is climbing the staircase to go on stage. Only some quick action on the part of Atari's "renowned and famous" leadership can save the day. We can always look for minor miracles. After all, they happen every day.

We present the synopsis of that article again for reference;

From GENie's ST RT
Category 18, Topic 2
Message 47 Tue Jul 21, 1992
LEPULLEY [Lloyd Pulley] at 22:22 EDT

Jeff,

Here's basically what the article said - PLEASE people, I am not saying these things, I'm paraphrasing what the Forbes article said...

Basically the article said the same things that have been said here for years. The T's are 'penny-wise and pound foolish'. Jack still hasn't realized that what worked for him at Commodore - spending almost nothing on marketing, pro-motion or overhead, but undercutting the competition with cheap computers - won't work in today's market.

The author goes onto give some examples of Jacks bad decisions and/or cheap-ness....

Buying Federated for \$67 million, losing \$124 million in the first year and putting his son Garry - then in his mid-20's - in charge.

Holding back the 7800 Prosystem videogame for 18 months and then deciding to upgrade an older system that couldn't compete with Nintendo. When

Atari did release the Model 7800 in '86 they spent about \$300,000 to promote it while Nintendo and Sega spent \$15 million each promoting their systems. Now Nintendo has 80% of the market.

Even when Atari finally came out with the Lynx, according to the author a superior system to Nintendo's Gameboy unit, Atari again went the cheap route and spent almost nothing on national advertising. Also, because Atari had cut their software development to almost nothing, there were only 4-5 games for the Lynx compared to more than 80 for the Gameboy. Atari's cheapness helped result in the Gameboy today having 81% of the market and 16,000 outlets, while the Lynx has 3% of the market and available in less than 3,000 stores.

Another example he gives of the T's cheapness is the confidential memo to Sam T. that was leaked. The one where Gary T. refused to allow computer games president (at that time) Michael Katz to spend \$54 to air freight two game cartridges to an important large client. And how Atari employees say that Jack T. checks expense accounts to make sure tips don't exceed 15%.

The article's author tells how Jack bought Atari for \$240 million in promissory notes and built up the sales to just under \$500 million by '87 and how the stock traded at 16 in the same year. Then he shows that the sales were down to \$258 million last year and the stock now trades in the 1 5/8 range. Not only was last year bad, he says that this year (so far) will be worse. Atari had losses of \$14 million on \$44 million in sales for the first quarter and (according to company sources), the second quarter will be even worse.

He also tells how 27 Atari exec's have either been fired or resigned in the past 30 months. How since Atari lost the Nintendo suit, that Jack T. has taken day-to-day operations away from Sam and is in charge of the company himself. He even took over Sam's 'fancy corner office' and moved Sam into a normal office, next to purchasing.

Let's see, what else...according to the author, Atari's European sales have 'collapsed' (to use his word) to \$209 million last year - this was in comparison to \$342 million in '90.

He does talk about the Falcon 030 and the Jaguar. But according to him, industry sources say that Atari needs at least \$40 million in promotions to give them a real chance to succeed and that's about all the cash that Atari has on hand. Plus, Atari needs \$24 million a year just to meet its normal operating overhead.

He quotes one anonymous Atari official as saying, "The Tramiels are not stupid. But their formula for success worked only once. They are not adaptable people."

My personal opinion is the author isn't going to be investing any of his money in Atari stock anytime in the near future.

Lloyd E. Pulley, Sr.

Speaking for himself

From GENie's ST RT

(Where's my support?)

Category 18, Topic 17

Message 1 Mon Jul 27, 1992

A.TIMMONS2 [Android] at 03:44 EDT

Let me tell you a little story. When I was a young lad I became fascinated with the first home computers (pong). I had heard Atari was the best in graphics so I saved my money & bought an Atari 2400 game system. However, I found that they no longer made games for it so I had to scrounge through the flea markets to get any games.

This only made me appreciate my bargains that much more. A couple of years down the road I was able to afford a programmable & bought an Atari 130XE. Well they had stopped producing software cartridges for them & I had to deal w/ Atari Corp. directly if I wanted to purchase anything. At this point I became quite frustrated & thought to myself, "Android, if you really want the best they have to offer, skip the ST series & buy a 1040 STe!" WRONG!!!

Most Atari PRG.s are being written in TOS 1.4 due to the popularity of the ST computer & once again I've been left out in the cold w/ a good amount of my software crashing at one point or another due to TOS errors. & now I hear they're coming out w/ a Falcon series of computer? Perhaps I should be writing this to Atari corp. themselves.

They may make inexpensive computers, but after spending over \$4,000 on their hard & software I'VE HAD IT!! I need to hear someone tell me that if I'm patient, there will be more stuff written for TOS 1.6. I need to know Atari hasn't left me in the dark again like they have the entire U.S. market. Because if they don't my next major purchase will definitely be an IBM PC & maybe the 1040 STe will make a nice ashtray. Anyone else out there w/ these problems? I'm getting so angry I could spit!

Android

From the FNET

(Silence the Critics)

Conf : Atari Explorer Online

Msg# : 124597 Lines: 20 Read:1

Sent : Jul 20, 1992 at 9:39 AM

To : SHERVIN SHAHREBANI

From : Bob Brodie at Z*Net Golden Gate - California (Node #706)

Subj : Re: <24500> Open your eyes

In reply to:

> Oh another thing, Mark Kovarski is by NO STRETCH OF THE IMAGINATION an
> Atari basher. He does not have "contempt" for Atari. He, like me,
wish

> that Atari were in a much better position right now. He simply doesn't
> want to be mislead. He wants the facts out on the table where he can
se

> them. Isn't that what we all want?

You could have fooled me, Shervin. I think he does have contempt for Atari. Frankly, I'm not even sure if he owns an Atari ST/STE/TT right now.

Approach is everything online. They come across as arrogant. Most of the users are reacting negatively to that, which is to be expected.

```
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      "....."
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... Minerva Northstar

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